

**S/N Unknown**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Paula M. Olhoft et al.	Examiner:	Unknown
Serial No.:	Unknown	Group Art Unit:	Unknown
Filed:	Herewith	Docket:	600.479US2
Title:	METHOD TO ENHANCE AGROBACTERIUM-MEDIATED TRANSFORMATION OF PLANTS		

---

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement.

Pursuant to 37 C.F.R. §1.98(d), copies of the listed documents are not provided as these references were previously cited by or submitted to the U.S. Patent Office in connection with Applicants' prior U.S. application, Serial No. 09/738398, filed on December 15, 2000, which is relied upon for an earlier filing date under 35 U.S.C. §120.

INFORMATION DISCLOSURE STATEMENT

Serial No :Unknown

Filing Date: Herewith

Title: METHOD TO ENHANCE AGROBACTERIUM-MEDIATED TRANSFORMATION OF PLANTS

Page 2

Dkt: 600.479US2

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

PAULA M. OLHOFT ET AL.

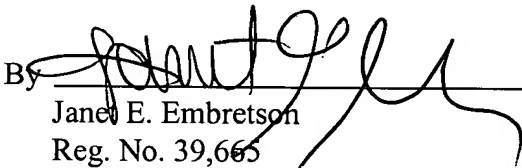
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6959

Date

March 31, 2004

By

  
\_\_\_\_\_  
Janet E. Embretson  
Reg. No. 39,665

"Express Mail" mailing label number: EV370239215US

Date of Deposit: March 30, 2004

This paper or fee is being deposited on the date indicated above with the United States Postal Service pursuant to 37 CFR 1.10, and is addressed to The Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
 STATEMENT BY APPLICANT**  
 (Use as many sheets as necessary)

Complete if Known

Application Number	Unknown
Filing Date	Even Date Herewith
First Named Inventor	Olhofs, Paula
Group Art Unit	Unknown
Examiner Name	Unknown

Sheet 1 of 4

Attorney Docket No: 600.479US2

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-4,992,375	02/12/1991	Wright, M. S.	435	240.5	07/26/1984
	US-5,169,770	12/08/1992	Chee, P. P., et al.	435	172.3	12/16/1988
	US-5,244,802	09/14/1993	Rangan, Thirumale S.	435	240.5	03/29/1991
	US-5,268,463	12/07/1993	Jefferson, R. A.	536	23.7	12/08/1989
	US-5,322,783	06/21/1994	Tomes, D., et al.	435	172.1	10/17/1989
	US-5,376,543	12/27/1994	Chee, P. P., et al.	435	172.3	12/07/1992
	US-5,416,011	05/16/1995	Hinchee, M. A., et al.	435	172.3	11/23/1993
	US-6,329,571	12/11/2001	Hiei, Yukoh			
	US-6,162,965	12/19/2000	Hansen, G.	800	278	06/02/1998
	US-6,353,155					

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T <sup>2</sup>
	WO-00/58484	10/05/2000	Rojas, B., et al.	C12 N	15/82	
	WO-98/32326	07/30/1998	Zhao, Z.-Y., et al.	A01H	4/00	
	WO-98/54961	12/10/1998	Hansen, Genevieve	A01N		

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BIDNEY, D., et al., "Microprojectile bombardment of plant tissues increases transformation frequency by Agrobacterium tumefaciens", <u>Plant Molecular Biology</u> , 18(2), (January 1992),301-313	
		BOLTON, G. W., et al., "Plant Phenolic Compounds Induce Expression of the Agrobacterium tumefaciens Loci Needed for Virulence", <u>Science</u> , 232, (May 23, 1986),983-985	
		BOWEN, B. A., "Markers for Plant Gene Transfer", <u>Transgenic Plants</u> , 1, (1993),89-123	
		BYRNE, M. C., et al., "Strain and cultivar specificity in the Agrobacterium-soybean interaction", <u>Plant Cell, Tissue and Organ Culture</u> , 8, (1987),pp. 3-15	
		CHEE, P. P., et al., "Transformation of Soybean (Glycine max) by Infecting Germinating Seeds with Agrobacterium tumefaciens", <u>Plant Physiol.</u> , 91, (1989),pp. 1212-1218	
		CHO, H.-J., et al., "High-efficiency induction of soybean hairy roots and propagation of the soybean cyst nematode", <u>Planta</u> , 210 (2), (Jan. 2000),pp. 195-204	
		CHRISTOU, P., et al., "Inheritance and Expression of Foreign Genes in	

EXAMINER

DATE CONSIDERED

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)	Complete if Known	
	Application Number	Unknown
	Filing Date	Even Date Herewith
	First Named Inventor	Olhoft, Paula
	Group Art Unit	Unknown
	Examiner Name	Unknown
Sheet 2 of 4	Attorney Docket No: 600.479US2	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Transgenic Soybean Plants", <u>Proc. Natl. Acad. Sci. USA</u> , 86, (Oct. 1989),7500-7504	
		CHRISTOU, P. , et al., "Soybean genetic engineering -- commercial production of transgenic plants", <u>Trends in Biotechnology</u> , 8, (June 1990),pp. 145-151	
		CHRISTOU, P. , et al., "Stable transformation of soybean by electroporation and root formation from transformed callus", <u>PNAS</u> , 84, (June 1987),pp. 3962-3966	
		CLEMENTE, T. E., et al., "Progeny Analysis of Glyphosate Selected Transgenic Soybeans Derived from Agrobacterium - Mediated Transformation", <u>Crop Science</u> , 40, (May/June 2000),pp. 797-803	
		DELZER, B. W., et al., "Agrobacterium tumefaciens Susceptibility and Plant Regeneration of 10 Soybean Genotypes in Maturity Groups 00 to II", <u>Crop Science</u> , 30, (1990),pp. 320-322	
		DI, R. , et al., "Production of transgenic soybean lines expressing the bean pod mottle virus coat protein precursor gene", <u>Plant Cell Reports</u> , 15, (1996),pp. 746-750	
		DYE, F. , et al., "Alkylsyringamides, new inducers of Agrobacterium tumefaciens virulence genes", <u>Biochimie</u> , 1 (79), (1997),pp. 3-6	
		ENRIQUEZ-OBREGON, GIL A., et al., "Agrobacterium-mediated Japonica rice transformation: a procedure assisted by an antinecrotic treatment", <u>Plant Cell, Tissue and Organ Culture</u> , 59 (3), (1999),pp. 159-168	
		FINER, J. J., et al., "Transformation of Soybean Via Particle Bombardment of Embryogenic Suspension Culture Tissue", <u>In Vitro Cell. Dev. Biol.</u> , 27P, (Oct. 1991),pp. 175-182	
		GAMBORG, OLUF L., "Plant Cell Cultures: Nutrition and Media", <u>Cell Culture ANS Somatic Cell Genetics of Plants</u> , (1984),pp. 18-26	
		HANSEN, G. , et al., "Constitutive expression of the virulence genes improves the efficiency of plant transformation by Agrobacterium", <u>PNAS</u> , 91, (Aug. 1994),pp. 7603-7607	
		HANSEN, GENEVIEVE , et al., "Recent Advances in the Transformation of Plants", <u>Trends in Plant Science</u> , 4, (June, 1999),226-231	
		HINCHEE, M. A., et al., "Production of Transgenic Soybean Plants Using Agrobacterium-Mediated DNA Transfer", <u>Bio/Technology</u> , 6, (Aug. 1988),pp. 915-922	
		HSIA, L. C., et al., "nutrient Requirement of Growing - Finishing Pigs When Ad Libitum Under Hot and Cool Seasons III. The Effect of Energy Level of Food on the Carcass of Finishing Pigs", <u>J. Agric. Assoc. China</u> , 40, (1991),pp. 77-78	
		KARTHA, K. K., et al., "Plant regeneration from meristems of grain legumes: soybean, cowpea, peanut, chickpea, and bean", <u>Canadian Journal of Botany</u> , 59(9), (Sept. 1981),pp. 1671-1679	
		KOMATSUDA, T. , et al., "Cell Biology & Molecular Genetics -- Genotype X Sucrose Interactions for Somatic Embryogenesis in Soybean", <u>Crop Science</u> , 31	

EXAMINER

DATE CONSIDERED

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"><i>Complete if Known</i></td> </tr> <tr> <td style="width: 50%;">Application Number</td> <td>Unknown</td> </tr> <tr> <td>Filing Date</td> <td>Even Date Herewith</td> </tr> <tr> <td>First Named Inventor</td> <td>Olhofs, Paula</td> </tr> <tr> <td>Group Art Unit</td> <td>Unknown</td> </tr> <tr> <td>Examiner Name</td> <td>Unknown</td> </tr> </table>	<i>Complete if Known</i>		Application Number	Unknown	Filing Date	Even Date Herewith	First Named Inventor	Olhofs, Paula	Group Art Unit	Unknown	Examiner Name	Unknown
<i>Complete if Known</i>													
Application Number	Unknown												
Filing Date	Even Date Herewith												
First Named Inventor	Olhofs, Paula												
Group Art Unit	Unknown												
Examiner Name	Unknown												
Sheet 3 of 4	Attorney Docket No: 600.479US2												

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		(2), (1991), pp. 333-337	
		LIN, W. , et al., "Soybean Protoplast Culture and Direct Gene Uptake and Expression by Cultured Soybean Protoplasts", <u>Plant Physiol.</u> , 84, (1987), pp. 856-861	
		LIU, J. , et al., "Effects of Butyrate Homologues on Metallothionein Induction In Rat Primary Hepatocyte Cultures", <u>In Vitro Cell. Dev. Biol.</u> , 28A, (May 1992), pp. 320-326	
		MCCABE, D. E., et al., "Stable Transformation of Soybean (Glycine max) by Particle Acceleration", <u>Bio/Technology</u> , 6, (Aug. 1988), 923-926	
		MCKENTLY, A. H., et al., "Agrobacterium-mediated transformation of peanut (Arachis hypogaea L.) embryo axes and the development of transgenic plants", <u>Plant Cell Reports</u> , 14 (11), (1995), pp. 699-703	
		MEURER, C. A., et al., "Factors affecting soybean cotyledonary node transformation", <u>Plant Cell Reports</u> , 18, (1998), pp. 180-186	
		MOORE, P. J., et al., "Genotype and developmental regulation of transient expression of a reporter gene in soybean zygotic cotyledons", <u>Plant Cell Reports</u> , 13, (1994), pp. 556-560	
		PARROTT, W. A., et al., "Recovery and Evaluation of Soybean Plants Transgenic for a Bacillus Thuringiensis Var. Kurstaki Insecticidal Gene", <u>In Vitro Cell. Dev. Biol.</u> , 30P, (July 1994), pp. 144-149	
		PARROTT, W. A., et al., "Recovery of primary transformants of soybean", <u>Plant Cell Reports</u> , 7, (1989), pp. 615-617	
		PERL, AVIHAI , et al., "Establishment of an Agrobacterium-mediated transformation system for trape (Vitis vinifera L.): The role of antioxidants during grape-Agrobacterium interactions", <u>Nature Biotechnology</u> , 14 (5), (May 1996), pp. 624-628	
		POWELL, W. , et al., "In vitro genetics of barely (Hordeum vulgare L.): Response of immature embryos to 2,4-dichlorophenoxyacetic acid", <u>Heredity</u> , 58, (1987), pp. 75-80	
		SANTAREM, E. R., et al., "Sonication-assisted Agrobacterium-mediated transformation of soybean immature cotyledons: optimization of transient expression", <u>Plant Cell Reports</u> , 17, (1998), pp. 752-759	
		SATO, S. , et al., "Stable transformation via particle bombardment in two different soybean regeneration systems", <u>Plant Cell Reports</u> , 12, (1993), 408-413	
		TORISKY, R. S., et al., "Development of a binary vector system for plant transformation based on the supervirulent Agrobacterium tumefaciens strain Chry5", <u>Plant Cell Reports</u> , 17, (1997), pp. 102-108	
		TRICK, H. N., et al., "Recent advances in soybean transformation", <u>Plant Tissue Culture and Biotechnology</u> , 3 (1), (March 1997), pp. 9-26	
		ZAMBRYSKI, P. , et al., "Transfer and Function of T-DNA Genes from Agrobacterium Ti and Ri Plasmids in Plants", <u>Cell</u> , 56, (Jan. 27, 1989), pp. 193-	

EXAMINER

DATE CONSIDERED

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	Unknown
Filing Date	Even Date Herewith
First Named Inventor	Olhoft, Paula
Group Art Unit	Unknown
Examiner Name	Unknown

Sheet 4 of 4

Attorney Docket No: 600.479US2

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		201	
		ZHANG, Z. , et al., "The use of glufosinate as a selective agent in Agrobacterium-mediated transformation of soybean", <u>Plant Cell, Tissue and Organ Culture</u> , 56, (1999),pp. 37-46	

**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional) <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached